IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

Bail Appl..No. 6665 of 2007()

CMP.9164/2007 of J.M.F.C.-II,NEYYATTINKARA
CRIME NO.318/07 OF PARASSALA POLICE STATION

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: PETITIONERS/ACCUSED 4 AND 5

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1. RAVI,S/O. CHINNAPPAN, KALIYAPPAN COLONY
CHITHAMBARAM SALAI, KALLAKKUDI VILLAGE
LALGUDI TALUK, TRICHI DIST, TAMIL NADU.

2. SURESH, AGED 18,S/O. GOVINDASWAMY,
KALIYAPPAN COLONY KALLAKKUDI VILLAGE
CHITHAMBARAM SALAI, LALGUDI TALUK,
TRICHI DIST, TAMIL NADU.

BY ADV. SRI.NAIR AJAY KRISHNAN
SRI.R.T.PRADEEP

RESPONDENTS: COMPLAINANT

STATE OF KERALA,REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6665 of 2007

Dated this the 13th day of November, 2007

ORDER

Application for regular bail. Petitioners are drivers of two vehicles. They face allegations under Sections 379, 468 and 471 I.P.C. The theft was of certain forms used by the Motor Vehicles Department in West Bengal. Making use of such stolen forms, forgery was committed and such forged documents were used allegedly for transportation of consignments into Kerala in the vehicles driven by the petitioners. The petitioners were arrested and they continue in custody from 12.10.07. Investigation is not complete yet. Altogether there are 6 persons arrayed as accused now.

2. The learned counsel for the petitioners submits that the petitioners are absolutely innocent. They are only drivers of the vehicles. They have nothing to do with the documents which have been used for transportation. They were not responsible for securing those documents. In any view of the matter, the petitioners, who have remained in custody from 12.10.07, may now be enlarged on bail, submits the learned counsel for the petitioners.

3. The learned Public Prosecutor does not oppose the said prayer. The learned Public Prosecutor only submits that appropriate conditions may be imposed to ensure a fair, efficient and expeditious investigation and also to secure the presence of the petitioners whenever necessary.

4. I am satisfied in these circumstances that the petitioners can be granted regular bail subject to appropriate conditions.

5. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute bonds for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of one month and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-